



King County

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Procurement and Contract Services Section

Department of Executive Services

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CONSTRUCTION MANAGEMENT SERVICES FOR THE BRIGHTWATER TREATMENT PLANT MARINE OUTFALL

RFP No. P53017P

ADDENDUM NO. 3

Proposers are hereby notified that the document of said Request for Proposals has been amended as hereinafter set forth:

Ref	Page	Location and Description of Change
3-1	27	<p>VIII. EVALUATION CRITERIA AND SUBMITTAL INFORMATION B. Work Plan/Level of Effort (LOE) & Project Schedule</p> <p>Delete the heading for this criterion and replace with the following: "B. Work Plan/Level of Effort (LOE) – 25 points"</p> <p>Note: There is no requirement to submit a project schedule. See related question and answer in Attachment 1 to this Addendum No. 3.</p>
3-2	Attachment 1 to Addendum No. 3	<p>QUESTIONS AND ANSWERS</p> <p>Answers to questions not already answered in previous addenda can be found in Attachment 1 to this Addendum No. 3.</p>

This Addendum No. 3 shall form a part of the Request for Proposals document.



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Issued by: _____


KENNETH E. CURL
Contracts Specialist

RFP No. P53017P
Answers To Questions Received From Potential Proposers
January 19, 2006

1. Is it correct to assume that if none of the vessels, boats or platforms is provided by the CM consultant then the CM will not have to provide Hull and Machinery coverage or the Pollution Liability listed under Marine Activities?

Answer: Yes, that is correct. It is the County's intent to have the Design/Build Contractor provide access to the barge and back for King County and CM staff. If the CM is required to provide vessels, boats or platforms then either the prime or subconsultant would need to provide the coverage.

2. In some places the RFP refers to subconsulting requirements and in other places participation requirements. In other places there is some discussion of how involvement by such firms as the prime or JV partner is counted. Is it correct that the Federal objective, and thus the County objective, is participation in any form (prime, sub, supplier, etc.) and is not limited to subconsulting?

Answer: It is the EPA policy that minority (MBEs) and women (WBEs) be afforded the maximum practicable opportunity to participate as contractors, subconsultants, suppliers and otherwise in contract awards that receive federal assistance. This policy applies to all contracts, subcontracts, and procurements for supplies, construction, equipment, and services.

3. On page 16 of 30 (in Section F.1.a) it seems to say if a MBE or WBE prime does 51% of the work or more then the total of M or WBE participation is counted as 100%. It seems like the % that would count should only be the amount the prime actually was going to do. What % would be counted if the MBE or WBE prime is self performing 51% of the work?

Answer: For counting purposes, the level of MBE/WBE participation under a particular prime contract will result in a total that is no more than 100 percent of the total proposed hours for the contract. For example, if an MBE firm is awarded a prime contract and it then subcontracts less than 49% to another MBE firm, the total level of MBE participation will remain at the 100% level. Conversely, if an MBE firm proposes to subcontract hours totaling more than 49% of the total proposed hours to an MBE firm, only the value of the work subcontracted to the MBE firm will count towards the goals.

4. If the M or WBE prime does less than 49% of the work the RFP seems to say the prime's involvement does not count at all – only the work their subs do counts. That doesn't seem correct. Shouldn't it say that the actual % of the work the M or WBE prime will do will count as well as the % from any M or WBE subcontracting and supplying?

Answer: If an MBE/WBE prime self performs a commercially useful function in an amount less than 49%, King County will count the percentage of these hours toward the MBE/WBE goals. For example if an MBE/WBE prime self performs a commercially useful function equaling 38% of the total proposed hours, King County will count 38% of these hours towards the MBE/WBE goals.

5. F.1.e. (c) speaks of the goal in terms of dollar value whereas the previous examples were in terms of hours worked. In the past the County has used hours. Is that the intent here too?

Answer: It is King County's intent that proposers indicate the level of proposed MBE/WBE participation on the Subconsultant Utilization Form as a percentage of total hours.

6. The Broker language in F.1.c. describes a Broker as a firm that is not in charge of the work. How will the County determine that a MBE/WBE is acting as a Broker?

Answer: King County will not count participation by an MBE/WBE that acts as a broker in a transaction. A broker is a firm that does not, itself, perform, manage, supervise the work of its contract or subcontracts in a manner that is consistent with the normal business practices for consultants in its line of business. An MBE/WBE will also be considered a broker if it subcontracts more than 49% of its work. (Meaning the MBE/WBE firm will sub out the work it intends to perform.)

7. Please identify the origin of the process for counting M/WBE participation described in section F. If there are Federal references for this they would be of interest to us.

Answer: Reference: "Guidance for Utilization of Small, Minority and Women's Business Enterprises in Procurement Under Assistance Agreements – 6010," 1997 Edition, United States Environmental Protection Agency, Office of the Administrator Office of Small and Disadvantaged Business Utilization.

8. The Attachment 5 form on which to document participation is called a "Subconsultant Utilization Form". Although there is a place to put a JV%, there does not seem to be a place or another form to document prime consultant MBE or WBE participation.

Answer: The purpose of the Attachment 5 form is to identify proposed subconsultants who are certified as small, women and minority business enterprises. Primes who are certified by the state of Washington as an MBE/WBE firm should identify their certification status on the space provided for "Name of Proposer."

9. Please confirm that the Narrative for the Work Plan/LOE described in Section VIII. EVALUATION CRITERIA AND SUBMITTAL INFORMATION B. Work Plan/Level of Effort (LOE) 2 b. Narrative. is to be counted in the ten page limit.

Answer: Yes, that is correct. Please refer to Section VII. DOCUMENTATION Paragraph B.3.

10. Are proposers required to submit a project schedule and if so, does it count as part of the 10 page limit?

Answer: No, proposers are not required to submit a project schedule.

11. Can an individual include Brightwater experience on their resume?

Answer: No, proposers are not to include Brightwater experience on their resumes. Please refer to Section I. INTRODUCTION Paragraph E.

12. Is the County's estimated value for the CM contract, which is in the \$1.4M to \$1.9M range, meant to cover all four phases or just Phases 1 and 2?

Answer: The County's estimated value for the CM contract is meant to cover all four phases.

13. Subtask 1004 Monitor Compliance with Permit Conditions indicates that the CM consultant will monitor and document the Design/Builder's compliance with permit conditions. Is it correct that the County does not want the CM to have greater involvement in dealing with meeting the permit requirements than the level of monitoring that could typically be accomplished by on-site construction inspectors?

Answer: Yes, the County anticipates that permit and environmental monitoring by the CM will be limited to the level of monitoring that would typically be accomplished by on-site construction inspectors. Special monitoring for permit or environmental issues is anticipated to be performed by the Design/Build Contractor, County personnel or by regulators.